

Notice of Allowability

Application No.

10/750,314

Examiner

Scott M. Sciacca

Applicant(s)

JOHRI, PRAVIN K.

Art Unit

2146

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 12/27/2007.
2. ☒ The allowed claim(s) is/are 3-5,7,9,13 and 18.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20080320.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Scott M. Sciacca/
Examiner, Art Unit 2146

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kin-Wah Tong (Reg. No. 39,400) on 3/20/2008.

Claims 3, 7, 9, 13 and 18 have been amended as follows:

3. (Currently Amended) A method for assisting capacity planning in a network having a plurality of links, said method comprising the steps of:

determining spare capacity on at least one link of the network, where said spare capacity is representative of an existing capacity plus an augmented capacity minus a bandwidth of all circuits routed on said at least one link of the network;

applying a benefit weight to said spare capacity;

computing an overall cost in accordance with said spare capacity for provisioning a circuit on said at least one link of the network, wherein said computing step comprises:

minimizing a function of $\sum c_j x_j - \sum s_j b_j$, to obtain said overall cost, where s_j represents said spare capacity for a link j , where b_j represents said benefit weight for said link j , where x_j represents said augmented capacity for said link j , and

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where c_j represents a cost for said link j ; and ~~applying a benefit weight to said spare capacity.~~

outputting said overall cost to an output device.

7. (Currently Amended) A method for assisting capacity planning in a network having a plurality of links, said method comprising the steps of:

determining spare capacity on at least one link of the network, where said spare capacity is representative of an existing capacity plus an augmented capacity minus a bandwidth of all circuits muted on said at least one link of the network;

~~computing an overall cost in accordance with said spare capacity for provisioning a circuit on said at least one link of the network; and~~

applying a benefit weight to said spare capacity, wherein said benefit weight accounts for a cost for financing said augmented capacity, wherein said benefit weight, b_j , is expressed as:

$$b_j = c_j - \alpha p n c_j = c_j (1 - \alpha p n)$$

where c_j represents a cost for a link j , where α represents an interest rate for capital per unit time, where n represents a number of capacity planning periods, and where p represents a length of said capacity planning period;

computing an overall cost in accordance with said spare capacity for provisioning a circuit on said at least one link of the network; and

outputting said overall cost to an output device.

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9. (Currently Amended) A method for assisting capacity planning in a network having a plurality of links, said method comprising the steps of:

determining spare capacity on at least one link of the network, where said spare capacity is representative of an existing capacity plus an augmented capacity minus a bandwidth of all circuits routed on said at least one link of the network;

~~computing an overall cost in accordance with said spare capacity for provisioning a circuit on said at least one link of the network; and~~

applying a benefit weight to said spare capacity, wherein said benefit weight accounts for a discount period, wherein said benefit weight, b_j , is expressed as:

$$b_j = c_j - \alpha q_j \quad c_j = c_j (1 - \alpha q_j)$$

where c_j represents a cost for a link j , where α represents an interest rate for capital per unit time, and where q_j represents said discount period;

computing an overall cost in accordance with said spare capacity for provisioning a circuit on said at least one link of the network; and

outputting said overall cost to an output device.

13. (Currently Amended) An apparatus for assisting capacity planning in a network having a plurality of links, comprising:

means for determining spare capacity on at least one link of the network, where said spare capacity is representative of an existing capacity plus an augmented capacity minus a bandwidth of all circuits routed on said at least one link of the network;

means for applying a benefit weight to said spare capacity; and

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means for computing an overall cost in accordance with said spare capacity for provisioning a circuit on said at least one link of the network, wherein said computing means minimizes a function of $\sum c_j x_j - \sum s_j b_j$, to obtain said overall cost, where s_j represents said spare capacity for a link j , where b_j represents said benefit weight for said link j , where x_j represents said augmented capacity for said link j , and where c_j represents a cost for said link j ; ~~and means for applying a benefit weight to said spare capacity.~~

18. (Currently Amended) A computer-readable medium having stored thereon a plurality of instructions, the plurality of instructions including instructions which, when executed by a processor, cause the processor to perform the steps comprising of:

determining spare capacity on at least one link of the network, where said spare capacity is representative of an existing capacity plus an augmented capacity minus a bandwidth of all circuits routed on said at least one link of the network;

applying a benefit weight to said spare capacity; and

computing an overall cost in accordance with said spare capacity for provisioning a circuit on said at least one link of the network, wherein said computing step comprises:

minimizing a function of $\sum c_j x_j - \sum s_j b_j$, to obtain said overall cost, where s_j represents said spare capacity for a link j , where b_j represents said benefit weight for said link j , where x_j represents said augmented capacity for said link j , and

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where c_j represents a cost for said link j ; ~~and applying a benefit weight to said spare capacity.~~

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott M. Sciacca whose telephone number is (571) 270-1919. The examiner can normally be reached on Monday thru Friday, 7:30 A.M. - 5:00 P.M. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Pwu can be reached on (571) 272-6798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Scott M. Sciacca/

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/JEFF PWU/

Supervisory Patent Examiner, Art Unit 2146